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11 Attorneys for Defendant

12 [Additional counsel listed on signature page]

13 **IN THE UNITED STATES DISTRICT COURT**  
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
15 **OAKLAND DIVISION**

16 CENTER FOR BIOLOGICAL DIVERSITY  
17 *et al.*,  
Plaintiffs,  
18 v.  
19 GINA McCARTHY, in her official capacity  
20 as the Administrator of the United States  
21 Environmental Protection Agency,  
22 Defendant.

Case No. 4:15-cv-4663-SBA

**JOINT STIPULATION TO EXTEND  
DEADLINE FOR ANSWER,  
CONTINUE CASE MANAGEMENT  
CONFERENCE AND ~~PROPOSED~~  
ORDER MODIFIED**

23  
24 Pursuant to Civil L.R. 6-2, Plaintiffs Center for Biological Diversity, Center for  
25 Environmental Health, and Neighbors for Clean Air and Defendant Gina McCarthy in her  
26 official capacity as the Administrator of the United States Environmental Protection  
27 Agency (“EPA”) hereby stipulate to and request an order continuing the case  
28 management conference currently scheduled for January 6, 2016 and extending the

JOINT STIPULATION  
CASE NO. 4:15-cv-4663-SBA

1 deadline for Defendant's Answer to February 15, 2016. In support of this stipulation, the  
2 parties state the following:

3       The Court entered an order setting this matter for a case management conference  
4 at 2:30 PM on January 6, 2016. Dk. #5. Subsequently, on November 25, 2015, the  
5 parties had an initial discussion about resolving this case. This discussion resulted in a  
6 significant narrowing of the claims at issue and led the parties to conclude that they may  
7 be able to resolve this case without dispositive motions or a trial. Plaintiffs intend to  
8 amend the complaint to reflect the narrowing of the claims at issue and to add one new  
9 claim. Meanwhile, the parties will continue their settlement discussions.

10       The parties have not previously requested any extensions in this case.

11       Therefore, in light of the fact that parties may be able to resolve this case without  
12 the need for dispositive motions or a trial, the parties stipulate to and request an order  
13 continuing the case management conference indefinitely and extending the answer due  
14 date to February 15, 2016.

15 Respectfully submitted,

16 Date: December 7, 2015

17                   JOHN C. CRUDEN  
18                   Assistant Attorney General  
19                   Environment and Natural Resources Division

20                   /s/ Debra J Carfora

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                    Attorneys for Defendant

26 Date: December 7, 2015

27                   /s/ Robert Ukeiley

28                   ROBERT UKEILEY (Admitted *Pro Hac Vice*)

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14 *Attorneys for Plaintiffs*  
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~~PROPOSED~~ ORDER

Pursuant to Stipulation, IT IS ORDERED that the deadline for Defendant's Answer is hereby extended to February 15, 2016 and the Case Management Conference is ~~indefinitely continued~~ continued to April 6, 2016, at 2:30 PM.

DATED this 08 day of December, 2015.

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge